

AFFIDAVIT OF MERIT

Vineland 820 N. Main Road, LLC
Plaintiff,
Vs.

UNITED STATES DISTRICT COURT
CAMDEN COUNTY
CASE NO: 1:17-CV-02986-NLH-JS

United States Liability Insurance Company,
United States Liability Insurance Group,
Biondi Insurance Agency, Inc. and
Steven Tramontana

Defendant(s).

Affidavit of Merit

I, BENJAMIN F. CLOUD, of full age, being duly sworn according to law, upon his oath, deposes and says:

1. I am a licensed Agent-Broker and practice as a consultant in the State of Delaware and elsewhere. I hold the following designations: CPCU, CRM, RALU, CIC.
2. I have been practicing for over 50 years. My area of expertise is Property Casualty Insurance, Workers Compensation and Resolution of Claims problems, as my enclosed resume will confirm. (See enclosed my curriculum vitae - CV).
3. I have no financial interest in the outcome of this case.
4. Based on the records which I have had the opportunity to review and/or the facts of this matter, it is my opinion premised on my experience, skill and knowledge, that the present complaint as brought before the court by the Plaintiff, Vineland 820 N. Main Road, LLC, is meritorious.
5. That in so pursing there is a reasonable probability that the care, skill or knowledge exercised or exhibited in the handling of *Insurance Issue at hand* fell outside acceptable professional standards reasonably expected by insured of the individuals in charge of such matters.
6. The above is not intended to be my entire opinion in this matter or my entire curriculum vitae (CV). The above is merely intended to be certain minimal information as required by the Affidavit of Merit Statute and has been prepared by counsel for the plaintiff.

I HEREBY CERTIFY that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Dated:

Sworn to and subscribed before me
this 30th day October, 2017
Laurie A. Dunfee
Notary Public
State of
My Commission Expires: 4-28-2018




BENJAMIN F. CLOUD

Benjamin F. Cloud, JR., CIC, CRM, RPLU, CPCU
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Employment

2/99-Present
President
Risk Managers & Consultants, Ltd., Wilmington, Delaware
1968-2/99
Senior Vice President
J.A. Montgomery, Inc., Wilmington, Delaware

Education

Temple University-Bachelor of Arts
Major: Finance and Economics

Military History

Sergeant USMC, 1st Lieutenant USA

Professional Education (partial listing)

First person formally trained in all lines of commercial insurance (Cigna)
Allstate Underwriting Training School
Aetna Advanced Agency School
Aetna Loss Control School
Certified Insurance Counselor (CIC)
Registered Professional Liability Underwriter (RPLU)
Certified Risk Managers (CRM)
Chartered Property & Causality Underwriter (CPCU)

Licenses

Agents
Brokers
Excess and Surplus Lines
Vetted Lloyds Correspondent

Committees (sample listing)

Medical Malpractice Reform Committee
Medical Malpractice Advisory Council
National Utility Contractors Association/Surety Liaison Committee
Chairman/Market Assistance Plan-Delaware
Enacted legislation via the Insurance Department to address
Distressed market situation
AGC-AIA Contract Committee
Delaware Contractors Association
Training & Education Committee
Finance Committee
Planning Committee
Associated Builders & Contractors

Training & Education
Schuylkill Builders Association
Workers Compensation Reform Commission

I represented both the insurance industry and Delaware Contractors Association on the commission.

Professional Associations

Professional Insurance Agents Association
Independent Insurance Agents Association
National Surety Bond Producers Association
Society for Risk Managers
Professional Liability Underwriting Society
Society for Certified Insurance Counselors
CPCU Society

Prior to joining J.A. Montgomery, Inc., I worked with Home Insurance, Cigna, and Allstate in various underwriting and marketing positions ranging from Marketing Representative to Territorial Underwriter.

During my tenure with J.A. Montgomery, Inc., I was an Account Executive, Manager of Multi-Peril Department, Manager of Contractor Service Division, General Manager of the Business Insurance Division.

My last position was Senior Vice President and General Manager of all Commercial Insurance Operations, Financial Services, Claims Services, and Branch Operations for the J.A. Montgomery Division of Commerce National Insurance Services.

Currently clients include buyers, agents, carriers, and attorneys I also function as an expert witness and assist attorneys in perfecting their cases.

My consulting experience also includes working with financial institutions ,contractors and developers

I have also taught for several organizations including National Alliance for Insurance Education, ABC and DCA

Workers Compensation

Member of committee responsible for developing Work Place Safety Credit.
Enacted Self Insured program for Christiana Care.
Designed Retros, Deductible and Retention plans
Taught subject for numerous organizations.